
HOUSE BILL No. 1098

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-38-1-1.

Synopsis: Judgment of conviction. Allows a court to withhold judgment of conviction and delay sentencing a defendant under an agreement: (1) entered into by the defendant and the prosecuting attorney; and (2) approved by the court. Allows the court to impose requirements and conditions on the defendant in addition to any requirements and conditions described in the agreement approved by the court.

Effective: July 1, 2001.

Stilwell

January 8, 2001, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1098

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-38-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) **Except as**
3 **provided in subsection (c)**, after a verdict, finding, or plea of guilty,
4 if a new trial is not granted, the court shall enter a judgment of
5 conviction.
6 (b) When the court pronounces the sentence, the court shall advise
7 the person that the person is sentenced for not less than the earliest
8 release date and for not more than the maximum possible release date.
9 (c) **A court may withhold judgment of conviction and delay**
10 **sentencing a defendant under an agreement:**
11 (1) **entered into by the defendant and the prosecuting**
12 **attorney; and**
13 (2) **approved by the court.**
14 **If a court withholds judgment of conviction and delays sentencing**
15 **under this subsection, the court may impose requirements and**
16 **conditions on the defendant in addition to any requirements and**
17 **conditions described in the agreement approved by the court.**

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IN 1098—LS 6476/DI 69+



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